

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 767

Washington, D. C.

November 11, 1939

## NEUTRALITY ACT PUTS RESTRICTIONS ON CANNED FOOD EXPORT TRADE

### New Legislation Analyzed in Connection with Sale and Shipment of Canned Foods

On November 4, 1939, the President approved the Neutrality Act of 1939, terminating after many months the prolonged Congressional controversy and debate over the policy this country should follow in making sales of munitions and other commodities to foreign belligerent powers.

While most of the debate, and the publicity given to it, have been directed to the President's recommendation that the embargo on shipments of munitions be repealed, the Act is by no means limited to munitions. For, in addition to repealing the embargo on munitions shipments, it deals with foreign trade in every commodity, and imposes many restrictions, not previously applicable, upon shipments of canned foods and other commodities to foreign countries. These restrictions, which are of vital importance to every canner engaged in the export trade, have popularly and to some extent erroneously been referred to as the "cash and carry" provisions of the law.

In order to explain in detail the precise application of the Neutrality Act to exports of canned foods, it will be helpful first to outline briefly its general purpose and scope. At the outset, it should be observed that the Act does not prohibit the export of canned foods, even to belligerents. In order to carry out its expressed purpose of avoiding the involvement of the United States in foreign wars, the Act, imposes however, a number of basic restrictions upon foreign travel and foreign commerce, designed to keep American citizens and property out of war zones. It is hoped thus to avoid any incidents that might bring about American participation in the war. The Act specifies that whenever the President or Congress shall find and the former shall proclaim that a state of war exists between foreign powers, the restrictions shall become effective.

Of these basic restrictions, three are directly applicable to exports of canned foods. The first of these is that no American vessel may transport any articles, whether they constitute munitions or not, to any of the foreign states participating in the war. As a result, *all shipments to belligerents must be made in foreign vessels*, either belligerent or neutral. In addition, the President is given discretionary power to enlarge this restriction by establishing so-called "combat areas," to or through which American vessels may not proceed even though destined to neutral ports. This power may be exercised by the President whenever he believes that the establishment of such combat areas or war zones is necessary to protect citizens of the United States. Consequently, when such combat areas are established, shipments of canned foods even to neutral countries may, in some instances, have to be made in foreign vessels, if it is necessary

to pass through the combat area in order to reach the neutral country.

The second restriction specifies that it shall be unlawful to export to any belligerent state any articles or materials, whether munitions or not, until title shall have been first transferred to some foreign government, corporation, or person. This means that exports of canned foods to belligerent states are prohibited unless all property right to such goods passes to the foreign purchaser before the vessel leaves this country. This requirement that title must pass is applicable only where the shipment is made direct to a belligerent state. It does not apply to shipments to neutral countries, even though such shipment may have to be made in a foreign vessel because it passes through a "combat area." These first two restrictions constitute the "carry" provisions of the law.

Finally, under the third basic restriction, no credit can be extended in connection with any sales of canned foods to a belligerent government or to any person acting on behalf of

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## SUGGESTED DEFINITION FOR PEAS

### Presiding Officer Files Report on Suggested Findings of Identity

The report of the presiding officer containing suggested findings of fact in regard to identity of canned peas was published November 9 in the *Federal Register*. Hearings were held in April with John McDill Fox as presiding officer.

The suggested findings are preceded by a general statement setting forth the times and purpose of the hearings. Interested persons who desire to file objections may file them in writing with the Hearing Clerk, Department of Agriculture, within ten days after receipt of the *Federal Register*. This should include a brief statement concerning each of the objections, with reference to relevant pages of the transcript of evidence.

The suggested findings and suggested conclusion in the form of a regulation are reproduced below:

#### Definition and Standard of Identity

##### SUGGESTED FINDINGS

1. Canned peas are the food prepared from shelled common peas of any variety of *Pisum sativum*. Salt, sugar, dextrose or other seasonings may be added. The ingredients are sealed in a container and processed by heat. (R. pp. 36, 101-102, 252-254)
2. The food has a characteristic flavor, odor, appearance, both as to shape and color of the finished peas, texture and liquid. All canned peas have the same identifying characteristics. (R. pp. 36, 58, 102, 118-122)
3. The characteristic flavor of canned peas is the flavor of cooked peas fresh from the garden, preserved and restored to the degree that the canning process permits. All canned peas have the same flavor in differing degrees of intensity,

and such flavor distinguishes the food from all other foods. (R. pp. 36-37, 102)

4. Canned peas have a characteristic odor which is the odor of cooked peas fresh from the garden, preserved or restored in so far as the canning process permits. All canned peas have the same characteristic odor in differing degrees of intensity. (R. pp. 37, 102)

5. Canned peas have a characteristic appearance both as to shape (which is a general effect of roundness, although sizes may vary) and as to color, which is always green, although the intensity of the green color depends on the variety of the peas, the stage of their growth at the time they are canned, and the processes used in canning them. (R. pp. 37, 102-103, 118-122)

6. Canned peas also contain a characteristic liquid consisting largely of water, colored or clouded by the elements which cook from the peas in the canning process. The extent to which the liquid is colored or cloudy is governed by the stage of growth at which the peas were canned, and also the length of time since the peas were canned, and by such conditions of storage as temperature. Such liquid is colored or clouded to some extent in all cases. (R. pp. 38, 103)

7. The characteristic flavor and odor of canned peas result from the combination of soluble and volatile substances that make up the product, including sugar, dextrose, salt, and other constituents. The shape is a natural attribute. The color results from the transparency of the skin and the natural color of the cotyledons. Young, succulent peas appear greener than old, dry or partly dried peas because the cotyledons are held more closely against the skin by their greater moisture content. Dry peas processed so that they are swelled with water appear greener than many fairly succulent peas of the same variety, both before and after cooking. The characteristic texture of peas results in part from their moisture content and in part from the soluble solids they contain, but, principally, from the insoluble solids such as cellulose and starch. (R. pp. 38-39, 102-103)

8. Canned peas have a characteristic chemical composition. All varieties have the same constituents in varying proportions. It is not possible to distinguish between various kinds of canned peas by a chemical examination of the entire contents of the can. (R. pp. 39-40)

9. Canned peas are used as a vegetable dish either alone or mixed with other vegetables. They are also used to make pea soup and are used in other soups, and are sometimes used in salads, omelets, stews, and meat loaves. All types of canned peas are used interchangeably for the same food purposes. (R. p. 40)

10. The ingredients present in canned peas are shelled peas horticulturally known as *Pisum sativum*, water, and possibly salt, sugar, dextrose, or other seasonings. (R. pp. 41, 131, 144-146)

11. There are two distinct horticultural types of *Pisum sativum*, those in which the skins of the dry seed are smooth and those in which the skins are wrinkled. The size of peas varies, depending on the variety. One type is commonly known as early peas, and the other type is known as sweet peas. There are many varieties of the sweet type, but there is some evidence that the smooth-skinned or early peas are all strains of the Alaska variety, although they are sold under many other varietal names. (R. pp. 41, 77, 115-116, 252-253)

12. Peas of both varieties have the same identifying characteristic flavor, although the degree of sweetness is higher in sweet peas than in early peas; the same odor; the same shapes and sizes, although the dry seed of sweet peas is wrinkled, whereas the dry seed of early peas is smooth;

most varieties of sweet peas are somewhat larger than early peas; and the same characteristic green color. (R. pp. 41-42)

13. Peas of either the smooth-skinned or early type, or of the sweet or wrinkled type, are optional pea ingredients of canned peas. (R. pp. 42, 103, 252-253)

14. The common name of the smooth-skinned type of peas is "Early Peas", and the common name of the sweet or wrinkled type of peas is "Sweet Peas." (R. pp. 103, 108, 109, 201, 249, 254)

15. Early peas have been variously known as "Early", "Early June", and "June." "Early June" is confusing because it sometimes means a specific sieve size of the Alaska variety and means standard grade in some instances. (R. pp. 69, 161, 175, 191, 195, 206, 207, 223)

16. Peas are succulent during their growing period because they have a high moisture content which makes them tender. As they ripen they lose their moisture content by evaporation, and when fully ripened they are hard and dry. This necessitates the restoration of the moisture content before fully ripened peas can be made into the product commonly known as canned peas. (R. pp. 42-43)

17. Peas in both the succulent state and the dried state are canned by identical processes, with the exception of the restoration of their former moisture content to the dried peas. (R. pp. 43-45)

18. Canned peas prepared from succulent and from dried peas have the same identifying characteristics, i. e., flavor, odor, shape, color and texture in differing degrees of intensity. (R. pp. 45, 104)

19. Peas in either the succulent state or the dried state are an optional pea ingredient of canned peas. (R. pp. 45, 103-104, 252-253)

20. The common name of peas in the succulent state is simply "Peas" with the name of the varietal type of peas, and the common name of peas in the dry state is "Dried Peas" with the name of the varietal type of peas. (R. pp. 45-46, 104, 253)

21. Early Peas and Sweet Peas are not mixed in commercial canning. (R. pp. 46, 252-253)

22. Water is an essential ingredient of canned peas. Its presence is expected and it would serve no good purpose to indicate its presence on the label. It is necessary to so process the product as to prevent spoilage. (R. pp. 46, 117-118, 252-253)

23. Seasonings may be ingredients of canned peas. Salt is always used and sugar and dextrose are sometimes used. Flavorings such as mint oil or mint extract, or seasonings such as mint leaf, green peppers, onions, garlic, horseradish, and other condimental vegetable seasonings are sometimes used. (R. pp. 46, 112-113, 114-115, 127-133, 139-140, 144-146, 188, 253, Affidavits of F. F. Torsch and Sydney P. Craig)

24. The use of seasoning is not universal. It is optional, but its use takes away no identifying characteristics of the product. (R. pp. 46, 253)

25. Such seasonings may be used singly or in combination, and the quantity used is self-controlling. (R. pp. 46-47, 55, 56-57, 79, 86-87, 89, 113, 253)

26. Each of such seasonings has a common name, to wit: salt, sugar, dextrose, flavoring, mint leaves, green peppers, onions, garlic, horseradish, and the common name of other vegetables used as seasonings. (R. pp. 47, 55, 84-85, 133-134, 253-254, 261)

27. It is essential to the identity of canned peas that they be sealed in a container. (R. p. 47)

28. It is essential to the identity of canned peas that they be processed by heat so as to prevent spoilage. (R. p. 47)

29. Canned peas have never been known by any name other than canned peas. (R. pp. 47, 105)

30. The optional pea ingredient should be declared on the label by their common names, that is, Early Peas, Sweet Peas, Dried Early Peas, or Dried Sweet Peas, if the consumer is to be accurately informed of the character of the product. (R. pp. 48, 71, 105, 178-179, 186-187)

31. Inasmuch as water, salt, and sugar are generally used in the preparation of canned peas, and within the last few years, dextrose, together with sugar, and inasmuch as the sweetening ingredient is relatively slight, the declaration of the presence of water, salt, sugar, or dextrose would furnish the consumer no useful information. (R. pp. 48, 75, 93-96, 105-106, 111, 130, 245, 256, 260, 262)

32. Other seasonings are not universally used in the preparation of canned peas and their presence may not be anticipated by the consumer. In order to furnish full information as to the character of the product, it is necessary that their presence be declared by their common names on the label. (R. pp. 48, 75, 112)

33. Such products are highly flavorsome, adding their odor and taste to the characteristic pea flavor. (R. pp. 48-49)

34. Honesty and fair dealing in the interest of the consumer requires that wherever the name "Peas" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the names of the optional ingredients present shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the peas may so intervene.

#### SUGGESTED CONCLUSION IN THE FORM OF A REGULATION

Upon the basis of the foregoing findings of fact, the following reasonable definition and standard of identity for the food commonly known as canned peas is hereby suggested to be promulgated as a regulation:

§ 51.000 Canned peas—Identity; label statement of optional ingredients.

(a) Canned peas are the food prepared from one of the following optional ingredients:

(1) Shelled, succulent peas (*Pisum sativum*) of Alaska or other smooth skin varieties;

(2) Shelled, succulent peas (*Pisum sativum*) of sweet, wrinkled varieties;

(3) Shelled, dried peas (*Pisum sativum*) of Alaska or other smooth skin varieties;

(4) Shelled, dried peas (*Pisum sativum*) of sweet, wrinkled varieties.

To such ingredient water is added. The food may be seasoned with one or more of the optional ingredients:

(5) Salt;

(6) Sugar;

(7) Dextrose;

(8) Flavoring;

(9) Spice;

(10) Green peppers, mint leaves, onions, garlic, horseradish, or other condimental seasonings.

The food is sealed in a container and so processed by heat as to prevent spoilage.

(b) The label shall bear the word or words "Early"; "Sweet"; "Dried Early"; or "Dried Sweet"; showing respectively the presence of optional ingredient (1), (2), (3), or (4), as the case may be. If optional ingredient (8) or (9) is present, the label shall bear the statement "Flavoring Added", or "With Added Flavoring"; "Spice Added", or

"With Added Spice"; as the case may be. In lieu of the words "Flavoring" and "Spice", the common or usual name of the flavoring or spice may be used in such statement. If optional ingredient (10) is present, the label shall bear the words "Seasoned With Green Peppers"; "Seasoned With Mint Leaves"; "Seasoned With Onions"; "Seasoned With Garlic"; "Seasoned With Horseradish"; or "Seasoned With . . . . .", the blank to be filled in with the common name of such other condimental vegetable seasoning, as the case may be. Wherever the name "Peas" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified showing the optional ingredients present shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the specific varietal name of the peas may so intervene.

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such government. Such sales must be made for cash. This is the "cash" provision of the law. As will be explained below, this requirement is applicable only where the sale is made to the belligerent government, or to some agency or person acting for it. It does not apply to sales made to private individuals or corporations in belligerent countries.

These restrictions were made immediately applicable by the President, when, on November 4, he issued a proclamation finding that a state of war existed between Germany, on the one hand, and France, Poland, and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, on the other. At the same time, the President issued a further proclamation establishing a "combat area" through which American ships may not proceed. This area includes roughly, all waters in the Atlantic, adjacent to France, the waters around Great Britain and Ireland, including the English Channel, and the North and Baltic Seas. By establishing this "combat area," the President has, in effect, decreed that no American vessel can proceed to any ports in Sweden, Denmark, the Netherlands, or Belgium, to any Baltic ports, or to any ports in Norway, south of Bergen.

The Neutrality Act contains many exceptions and exemptions relating to the application of the basic restrictions to colonies and possessions of belligerents located in the Western Hemisphere, away from the actual war zone. As these exceptions and exemptions are rather complex, they can best be explained by discussing the specific problems likely to arise in shipments of canned foods.

1. *Shipments of canned foods direct to England, Scotland, France, Germany, and Poland.*

Under the Presidential proclamation of November 4, 1939, England, Scotland, France, Germany and Poland are found to be belligerent states. Consequently, all of the restrictions imposed by the Neutrality Act apply to direct shipments of canned foods to these countries. This means, in the first place, that no shipments of canned foods can now be carried to ports in these countries in American vessels, and by American vessels are meant vessels documented under the laws of the United States. All such shipments must henceforth be carried in vessels of foreign registry. It is immaterial, however, whether the foreign vessel be a neutral or belligerent one.



In addition, no shipments of canned foods to ports in these countries may lawfully be made, even in foreign vessels, until all right, title, and interest in the canned foods have been transferred to the foreign purchaser. In other words, as a practical matter, all property interests must pass to the foreign purchaser at or prior to the time the canned foods are delivered to the foreign carrier, and the Neutrality Act (Sec. 2(c)) specifies that issuance by the carrier of a bill of lading under which full title passes unconditionally to the foreign purchaser shall constitute a compliance with this requirement. Sales to belligerents that are made f.o.b. cannery, f.o.b. terminal, or f. a. s., where the sales contract makes it clear that full title passes upon delivery, would satisfy this restriction, but it will no longer be possible to consign canned foods destined to these belligerent countries to the canners' order, or in any way to retain any formal, beneficial, or security title in the canner. To insure compliance, the Neutrality Act requires the shipper in addition to file with the Collector of the Port through which the canned foods are to be exported a declaration under oath to the effect that title has passed. Moreover, the canner is thereafter conclusively estopped from claiming any interest in the shipment.

Finally, if the sale is made to a belligerent government (as distinct from a private individual), or to any person acting for or in behalf of the belligerent government, the sale must be made *for cash*. The Neutrality Act provides that in such case *no credit* can be extended. This requirement that the sale be made on a cash basis does not apply, however, if the sale is made to a private individual or corporation, if the private individual or corporation is not acting for the belligerent government. This is true, and credit may be extended, even though the private individual or corporation may be located in a belligerent country, and even though the shipment is to be made to a belligerent port.

The question will undoubtedly arise as to the application of these restrictions to shipments made before the Neutrality Act was passed, or to shipments made after the passage of the Act to fill contracts entered into before its passage.

The Act specifically provides that restrictions shall not apply to any shipments that have cleared United States ports prior to the issuance of the Presidential proclamations. These proclamations, it will be recalled, were issued on November 4, 1939. While the application of the restrictions to shipments made to fill pre-existing contracts is not entirely clear, it is likely that the restrictions will be held applicable to any such shipments made after the Presidential proclamations of November 4. In other words, any shipments made after the issuance of the proclamations must comply with the Neutrality Act, irrespective of when the contract of sale was entered into, and hence must be made in foreign vessels, under such circumstances that title passes upon delivery to the vessel, and upon cash terms if the sale is to a belligerent government as distinguished from a private individual.

These restrictions applicable to shipments to England, Scotland, France, Germany, and Poland are likewise applicable in the same fashion and with equal force to any shipments made to colonial ports of these countries on the Mediterranean Sea, or on the Atlantic Coast of Africa, north of the Canary Islands. Shipments to other colonies, dominions, and possessions of these countries, located in other parts of the world, are, however, subject to different treatment described below.

#### 2. Shipment of canned foods to British, French, or Ger-

man dominions, colonies, or possessions, other than those on the Mediterranean or on the Atlantic Coast of Africa, north of the Canary Islands, and other than Canada.

As has already been indicated, the restrictions imposed by the Neutrality Act apply with full force to all British, French, and German colonies or possessions on the Mediterranean Sea, and on the Atlantic Coast of Africa, north of the Canary Islands. The restrictions do not, however, apply completely to any other British, French, or German dominions, colonies, or possessions. Where canned foods are to be exported to India, Australia, New Zealand, the Union of South Africa, or any such colonial possessions shipment may be made in American vessels and without the necessity of title passing to the foreign purchaser prior to shipment from the United States. Exports to Canada are separately considered below.

If, however, the canned foods exported to any of these possessions have been sold to a belligerent government, or to any person or company acting on behalf of such a belligerent government, the transaction must still be on a cash basis. In other words, the restriction as to sales for cash is applicable to export shipments to any colony or possession of the belligerent powers whenever the sale has been made to the belligerent government or its agent.

#### 3. Shipments of canned foods to Canada.

Shipments of canned foods to Canada require special consideration, inasmuch as the restrictions may or may not apply, depending upon how the shipment is made. If canned foods are shipped to Canada by inland waterway, that is, over lakes, rivers, and inland waters bordering on the United States, the shipments may be made in American vessels without the necessity of title passing prior to shipment. Similarly, if the shipment is made by land transportation, that is, by truck or railroad, the requirement that title must pass is not applicable. In addition, shipments of canned foods may be made in American vessels to Canadian ports on the Pacific Ocean without the necessity of title passing.

If, however, the canned foods are shipped to Canada by ocean transportation to Atlantic Canadian ports, all restrictions of the Neutrality Act apply, and the shipment must be made in a foreign vessel and title must pass.

Finally, the prohibition against extending credit applies to Canadian sales, irrespective of the method of shipment, whenever the sale is made directly to the Canadian Government or to a person or company acting for the Canadian Government.

#### 4. Shipments of canned foods to neutral countries and ports.

The Neutrality Act is directed primarily against export shipments to belligerent powers, and the basic "cash and carry" restrictions are not generally applicable to shipments to neutral countries and ports. As has been observed, however, the Act confers upon the President discretionary authority to establish so-called "combat areas" to or through which American vessels may not proceed, and the Presidential proclamation issued on November 4, 1939, established a "combat area," which will indirectly affect shipments of canned foods to some neutral ports. It includes all waters in the Atlantic adjacent to France, the water around Great Britain and Ireland, including the English Channel and the North and Baltic Seas. Because of the establishment of

this area of combat, no shipments of canned food may be made to Ireland, Sweden, Denmark, the Netherlands, Belgium, to any Baltic ports, or to any Norwegian ports south of Bergen, in American vessels. All such shipments must be carried in foreign vessels, either belligerent or neutral. None of the other restrictions imposed by the Neutrality Act are applicable, however, to such shipments when made direct to neutral ports, and there is no necessity that title pass to the purchaser, or that the transaction be on a cash basis.

There are no restrictions applicable to shipments to any neutral ports other than those enumerated above. Such shipments may be made in American vessels and without the necessity that title pass to the purchaser prior to shipment.

Should any canner have any question concerning the application of the Neutrality Act to a specific set of facts, it is suggested that he communicate with the Association, and every effort will be made to answer the inquiry.

### VENEZUELAN TRADE PACT SIGNED

#### Becomes Provisionally Effective December 16— Canned Foods Given Tariff Concessions

United States canned fruits and juices, canned vegetables and canned fish were given tariff concessions by Venezuela in the trade agreement signed November 6, which is to become provisionally effective December 16 pending ratification of the agreement by the Venezuelan government. The trade pact will then enter into full force thirty days after exchange of the instrument of ratification of the Venezuelan government and the proclamation of the agreement by the President of the United States.

The reciprocal trade agreement is the twenty-second agreement negotiated by the United States and is the eleventh to be concluded with another American republic. The trade of the United States with Venezuela and the other nineteen countries with which trade agreements are now in effect constitutes about 60 per cent of the total United States trade with the world, on the basis of trade statistics for 1938.

The tariff concessions obtained from Venezuela under the agreement cover a long list of agricultural and industrial products. The United States reduced its tariffs for Venezuelan petroleum, fuel oil, barbasco root, and tonka beans, and bound the present rate of duty on orchid plants, as well as a number of other tropical commodities.

The canned foods for which the United States was granted tariff concessions or for which the present tariff was bound, include the following: canned salmon, 25 per cent reduction; canned sardines in oil (except olive oil), in sauce, or in their own juice, bound; canned shellfish, 25 per cent; prepared milk, including evaporated, condensed, dried skimmed and dried whole milk, bound; canned or bottled fruits in their own juice, 25 per cent; canned or bottled fruits in syrup, 23 per cent; canned pork, bound; canned or bottled vegetables, soups, sauces, and relishes, 33⅓ per cent; and sterilized fruit juices, 33⅓ per cent.

### Outlook on Canning Crops to Be Issued Next Week

Annual Farm Outlook reports to be issued during the coming week by the Department of Agriculture include

outlook reports on fruits (November 13), and truck crops and canning crops (November 14).

Production trends of fruits during the next five years are considered in the reports, as well as 1940 prospects.

### Service Kitchen Recipe Wins Use of Canned Salmon in Popular Tea Room

The recipe for "Salmon Vegetable Dundee," appearing in the last recipe leaflet of the Association's Service Kitchen, "Tempting Recipes for Canned Foods," so attracted the manager of food service in a large department store in Washington, D. C., that she decided to serve the dish in the basement cafeteria.

Although this food service manager never before had served canned salmon in the store's tea room, which is the largest and most popular tea room in Washington, the dish proved so popular in the basement cafeteria that she decided to serve it in the store's tea room.

The recipe again was unusually popular, and the manager reported that the waitresses kept coming to the kitchen with compliments from patrons on the dish.

The manager is, of course, delighted with the success of this first use of canned salmon in dishes for the tea room. She plans to try other recipes using canned foods in the tea room and cafeteria, she told the Home Economics Division.

### Denver Selected for Stamp Plan

Denver was selected last week as an area in which the food order stamp plan for distributing surplus agricultural commodities will be extended. The plan will operate on a county-wide basis.

### Providence Advertising Club to Hear Miss Black

The Women's Advertising Club of Providence, R. I., is featuring a "consumer enlightenment" program, and on Monday night, November 13, the club has invited merchants, advertisers, and members of the Better Business Bureau to participate in a forum. Miss Marjorie H. Black of the Association's Home Economics Division has been asked to give the main talk, and will speak on the subject, "The Trends in Consumer Interest." She will base her talk on her experiences in meeting groups over the country for the National Cannery Association.

From Providence, Miss Black will go to Boston where she will be a guest on the Gretchen McMullen Household Hour program over station WNAC and on the Yankee Network, Thursday morning, November 16. Miss Black will also talk to several groups in Boston about canned foods and the canning industry.

### Unsold Stocks of Canned Salmon

Unsold stocks of canned salmon on October 31, 1939, totaled 2,376,931 actual cases, compared with 2,963,153 cases on October 31, 1938, and 2,458,388 cases on September 30, 1939, according to statistics compiled by the Association of Pacific Fisheries. The figures for 1939 are based on reports from 81 companies, producing an estimated 99 per cent of the 1939 pack. The figures for October 31, 1939, are based on reports from 79 companies producing 98 per cent of the 1938 pack.

The Association of Pacific Fisheries called attention to the fact that on these dates in both 1938 and 1939, the pack of some individual companies, as well as the total pack, were not yet definitely known, as some packing was still going on in certain localities.

The following table provides statistics of canned salmon stocks by grades or varieties and by can sizes for October 31, 1939, with totals compared with October 31, 1938:

GRADES OR VARIETIES	Talls	Flats	Halves	Total	Total
	(1 pound)	(1 pound)	(8 dozen)	Oct. 31, 1939	Oct. 31, 1938
Chinooks or Kings:	Cases	Cases	Cases	Cases	Cases
Fancy Red.....	12,670	6,022	23,603	42,295	70,325
Standard.....	727	5,941	9,848	16,516	25,559
Pale.....	685	141	1,781	2,607	3,534
White.....	180	194	821	1,195	1,543
Puget Sound Sockeyes.	9	8,670	22,916	31,595	64,967
Alaska Reds.....	1,300,934	20,193	111,234	1,432,361	1,361,405
Coho, Silvers, Med.					
Reds.....	48,970	8,892	32,202	90,064	136,641
Pinks.....	547,688	7,961	38,692	594,341	1,107,321
Chums.....	157,670	5	5,828	163,512	188,274
Bluebacks.....			727	727	2,055
Steelheads.....			1,718	1,718	1,529
Totals.....	2,069,542	58,019	249,370	2,376,931	2,963,153

### Fruit and Vegetable Market Competition

Carlot Shipments as Reported by the Bureau of Agricultural Marketing Service by Common Carriers

VEGETABLES	Week ending—			Season total to—	
	Nov. 4, 1938	Nov. 4, 1939	Oct. 28, 1939	Nov. 4, 1938	Nov. 4, 1939
Beans, snap and lima.....	188	101	104	443	210
Tomatoes.....	302	242	340	34,569	27,125
Green peas.....	82	69	40	6,325	7,035
Spinach.....	15	9	11	6,898	6,479
Others:					
Domestic, competing directly.....	1,118	1,689	1,955	107,906	112,535
Imports, competing indirectly.....	69	70	77	720	707
<b>FRUITS</b>					
Citrus, domestic.....	2,954	2,537	1,983	185,643	193,587
Imports.....	0	0	1	77	31
Others, domestic.....	2,104	1,778	2,163	44,304	43,599

### Australia Increases Canned Salmon Production

Since mid-July, the one plant in Australia that is engaged in canning salmon has increased its weekly salmon pack from about 1,000 cases (50,000 cans of 1-pound talls) to 2,000 cases of 1-pound talls, 1,320 cases of half-pounds, and 1,500 cases of quarter-pound cans, according to the American trade commissioner at Sydney.

A further increase to about three times the present output is expected to follow the completion, by October 31, of an addition to the present plant. New machinery for the extension to the plant was expected to arrive from California by the middle of October.

The entire output of the canning plant is being taken by the local market. The Australian salmon, taken from waters about 200 miles north of Sydney, is comparable in texture and flavor to the Chum salmon of Alaska, according to the Australian State Bureau of Fisheries, and can compete only with that grade of salmon.

### Minimum Wage Rate for Fertilizer Industry Under Walsh-Healey Act

A determination of minimum wage rates under the Walsh-Healey Act for employees of the fertilizer industry who are engaged in the performance of government contracts, be-

came effective September 12. Regional wage rate differences were recognized in this determination by the Secretary of Labor. For the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas, the minimum wage was set at that time at 25 cents an hour.

However, on October 24, 1939, the minimum wage for all employees throughout the country became 30 cents an hour under the automatic increase in the statutory minimum wage required by the Fair Labor Standards Act. The Department of Labor, with a view of bringing the Walsh-Healey Act wage determinations in line with the minimum wage of the wage and hour law, has proposed, accordingly, to amend the determination of 25 cents an hour in the fertilizer industry, by increasing the minimum to 30 cents an hour.

Briefs will be received until November 20 by the Division of Public Contracts of the Department of Labor relative to the proposed amendment.

### Australian Canned Fruit Exports—January to September

Canned fruit exports from Australia during the period January 1 to August 31, 1939, totaled 1,299,739 actual cases, compared with 1,368,701 cases during the same period of 1938. Of the total amount, 1,175,146 cases were shipped to the United Kingdom.

Total shipments of the various fruits during this period were: apricots, 149,998 cases; peaches, 760,923 cases; pears, 337,685 cases; fruit salad, 4,488 cases; pineapple, 46,645 cases.

### September Canned Fish Imports into Philippines

Imports of canned fish into the Philippine Islands during September, 1939, totaled 11,402 cases, compared with 13,500 cases for September, 1938, according to the American trade commissioner at Manila.

Canned sardine imports declined, largely as a result of depleted stocks and the delayed canning season in the United States, while salmon and mackerel imports increased, compared with the same month last year.

The negative demand in September, 1938, for canned fish of Japanese origin was not so much in evidence this year. Larger shipments were made in September, 1939, from Japan to the Philippine Islands.

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